

RESOLUTION NO. 2004-06



RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY FIRE PROTECTION DISTRICT AMENDING ITS CONFLICT OF INTEREST CODE CANDIDATE DISCLOSURE STATEMENT

WHEREAS, the Political Reform Act, Government Code Section 81000, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and,

WHEREAS, the North County Fire Protection District (NCFPD), through its predecessor Fallbrook Fire Protection District, ratified and approved an "Agency Conflict of Interest Code" as required by California Government Code on October 18, 1997; and

WHEREAS, California Government Code Section 87306.5 requires the reviewing body of every local agency which has adopted a Conflict of Interest Code to review said Code and, if a change in its Code is necessitated by changed circumstances, submit an amended Conflict of Interest Code to the Code Review Body; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs, Section 18730, which contains the terms of a standard conflict of interest code which can be incorporated by reference and may be amended by the Fair Political Practices Commission after Public Notice and Hearings to conform to amendments in the Political Reform Act; and,

WHEREAS, the California Government Code Section 87201 requires candidates for elective offices specified in Government Code Section 87200 to disclose on their statements of economic interest income received during the immediately preceding 12 months; and,

WHEREAS, NCFPD has published a written notice informing the public of their statutory right to comment upon the proposed adoption of the standard conflict of interest code and has conducted, concurrent with this meeting, a public hearing under Government Code section 87311 for the purposes of receiving input from agency officers, employees, consultants and from members of the public; and,

WHEREAS, the San Diego County Board of Supervisors has been designated as the "Code Reviewing Body" for NCFPD.

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August 24, 2004

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NOW THEREFORE BE IT RESOLVED, the Conflict of Interest Code is amended as set forth in "Exhibit A," and the Local Government Biennial Report shall be completed and transmitted, together with all necessary and related documents, to the San Diego County Board of Supervisors as follows:

1. That this resolution shall amend the Conflict of Interest Code to read as follows: See "Exhibit A;"
2. That upon adoption, the Board Secretary is directed to maintain one copy of those portions of 2 California Code Regulations that are incorporated by reference.

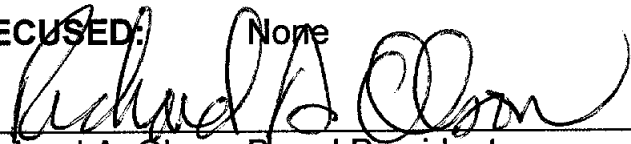
APPROVED, ADOPTED AND SIGNED at a Regular Meeting of the Board of Directors of the North County Fire Protection District held on this 24th day of August 2004, by the following roll call vote:

AYES: Directors Adams, Lindeman, and Olson

NOES: None

ABSENT: Directors Ungricht and Williams

RECUSED: None

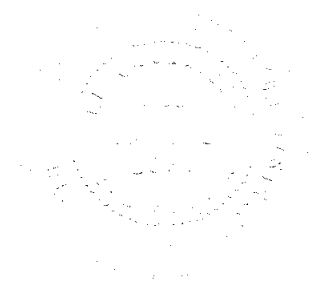

Richard A. Olson, Board President

ATTEST:

I HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Board of Directors of the North County Fire Protection District thereof held on the 24th day of August, 2004, and that the same now appears on record in the Office of the Board Secretary.

IN WITNESS THEREOF, I hereto set my hand and affixed by official seal this 24th day of August 2004.


Loren Stephen-Porter, Board Secretary





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APPENDIX A CONFLICT OF INTEREST CODE DESIGNATED USERS

COLUMN I

PUBLIC OFFICIAL'S FUNCTION OR TITLE

All individuals whose duties involve contracting or purchasing for the District or a Department of the District

Members of the
Board of Directors
Candidates for
Board of Directors
Fire Chief
Deputy Fire Chief
Division Chiefs
Battalion Chiefs
Administrative Captains
General Counsel
Consultants **

COLUMN II

TYPE OF BUSINESS ENTITY, INVESTMENT, SOURCE OF INCOME OR REAL PROPERTY DISCLOSURE

Official listed in Column I shall disclose:

- (a) all sources of income;
- (b) all interests in real property;
- (c) all reportable investments; and,
- (d) all business positions including, but not limited to, the following areas:

1. Real property within District or two miles thereof
2. Construction and building materials
3. Engineering, surveying, architectural and appraising
4. Real estate development
5. Pipes, valves, meters, materials, parts or equipment used in fire hydrants
6. Fire hydrants, hose and extinguishers
7. Office equipment and supplies
8. Motor vehicles, construction equipment, parts and services
9. Equipment rental
10. Petroleum products
11. Safety equipment and supplies
12. Newspapers, printing and reproduction services
13. Banks and savings and loans*
14. Employment and manpower agencies
15. Insurance, including but not limited to, brokers and agencies
16. Moving services
17. Radio and communications equipment rental, sales and leases
18. Medical and ambulance supplies



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APPENDIX A CONFLICT OF INTEREST CODE DESIGNATED USERS

The officials listed below are also "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose any financial interest in those categories set forth in the right-hand column above which are identified by the numbers listed opposite his or her title:

Board Secretary and Administrative Assistant to the Fire Chief and Deputy Fire Chief	1, 3, 4, 7, 8, 9, 12, 13, 15, 16, 17, 18
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Bookkeeper	7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18
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*Does not include stock or other securities registered with the Securities and Exchange Commission of the United States Government.

** Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Fire Chief or his designated agent may determine in writing that a particular consultant, although a "designed position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Fire Chief's (or his designated agent's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

NORTH COUNTY FIRE PROTECTION DISTRICT

315 East Ivy Street • Fallbrook, California 92028-2138 • (760) 723-2005 • Fax (760) 723-2003

BOARD OF DIRECTORS

RICHARD A. OLSON - President
GARY UNGRICH - Vice President
FRANK C. ADAMS
DENNIS C. LINDEMAN
EDWARD WILLIAMS

WILLIAM R. METCALF - Fire Chief
ROBERT H. JAMES - Counsel
LOREN A. STEPHEN-PORTER - Board Secretary

September 9, 2004

Clerk of the Board of Supervisors
(COI Biennial Review)
1600 Pacific Highway, Room 402
San Diego, CA 92101

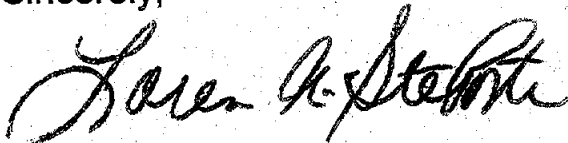
CERTIFIED MAIL: 7004-1350-0001-8370-9909

Dear Gentilepersons:

Please find enclosed the completed "2004 Local Biennial Notice Form," as required from the North County Fire Protection District, Fallbrook, California. The Board of Directors of the North County Fire Protection District, at the August 24, 2004 Board Meeting, reviewed the current Conflict of Interest Code, making the determination that "Amendments are Necessary," as per the attachments.

Please call the office of the Fire Chief/CEO Bill Metcalf, if there are further questions at (760) 723-2012.

Sincerely,



Loren A. Stephen-Porter
Board Secretary